

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: Sierra L. McMonagle aka Sierra Lessing McMonagle

Debtor

Chapter: 13

Bankruptcy No.: 19-12751-amc
11 U.S.C. § 362

MTGLQ Investors, L.P.

Movant

vs.

Sierra L. McMonagle aka Sierra Lessing McMonagle

Debtor

and

William C. Miller, Esq.

Trustee

RESPONDENTS

OBJECTIONS OF MTGLQ INVESTORS, L.P. TO CONFIMATION OF DEBTOR`S PROPOSED CHAPTER 13 PLAN

MTGLQ Investors, L.P., by and through its undersigned attorney, Sarah K. McCaffery, Esquire, hereby objects to the confirmation of the Debtor`s proposed Chapter 13 Plan for the following reasons:

1. The pre-Petition arrears owed to MTGLQ Investors, L.P. are understated on Debtor`s proposed 13 Plan as \$57,558.43. The pre-Petition arrears owed to MTGLQ Investors, L.P. are \$60,740.61, which is set forth on its Proof of Claim that has been filed with this Court. Accordingly, the 13 Plan does not properly address the pre-Petition claim of MTGLQ Investors, L.P.. See 11 U.S.C. Sec. 1325(a)(5).
2. Based on the information provided by Debtor in Schedules I and J, Debtor does not have sufficient monthly income to pay the correct amount of the pre-petition arrears of MTGLQ Investors, L.P. over a sixty (60) month period. Accordingly, Debtor`s proposed Chapter 13 Plan is not financially feasible. See 11 U.S.C. Sec. 1325(a)(6).

3. Debtor need(s) to have an additional \$53.03 per month in order to pay the arrears of MTGLQ Investors, L.P. only, over a sixty (60) monthly period. There is absolutely no indication or evidence from Debtor`s Schedules that she/he/they has the ability to obtain such additional income. Accordingly, Debtor`s proposed Chapter 13 Plan is not financially feasible. *See* 11 U.S.C. Sec. 1325(a)(6).
4. Due to all of the defects in the Debtor`s proposed Chapter 13 Plan, as aforesaid, such Plan could not have been proposed in good faith. *See* 11 U.S.C. Sec 1325(a)(7).

WHEREFORE, MTGLQ Investors, L.P. prays that its objections be sustained and that confirmation of Debtor`s Chapter 13 Plan be denied.

Respectfully submitted,

/s/ Sarah K. McCaffery
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